

## AMENDMENTS

### In the Claims

The following is a marked-up version of the claims with the language that is underlined (“\_\_\_”) being added and the language that contains strikethrough (“—”) being deleted:

1. (Currently Amended) A facet fusion system for fusing a facet joint comprising:  
a trochar arranged and configured for use during percutaneous retraction;  
a retractor arranged and configured for use during percutaneous retraction; and  
a facet bur arranged and configured for decorticating the facet joint, said facet bur comprising a shaft being adapted releasably to engage a power source for rotation;

wherein said trochar, said retractor, and said facet bur are implemented to prepare the facet joint for fusion.

2. (Currently Amended) The facet fusion system of claim 1, wherein said facet bur further comprises:

a head having a planar and an extension extending from said planar; ~~and~~  
wherein said a shaft extending extends from said planar of said head; ~~and said shaft extending extends~~ from said planar in a direction opposing said extension of said head, ~~said shaft being arranged and configured to engage a source of rotation power for said rotation portion;~~

wherein said extension is arranged and configured to engage a facet joint to taper said facet joint and said planar is arranged and configured to engage and plane a posterior surface of the facet.

3. (Original) The facet fusion system of claim 2, further comprising:  
a facet sizer arranged and configured to aid in the determination of an appropriate size implant to be inserted into the facet joint to facilitate fusion.
4. (Original) The facet fusion system of claim 3, wherein said facet sizer comprises:  
a body portion; and  
a handle extending from said body portion;  
wherein said body portion is arranged and configured to aid in the determination of an appropriate size implant to be inserted into the facet joint to facilitate fusion.
5. (Original) A facet fusion system of claim 1, further comprising:  
an implant arranged and configured to facilitate fusion of the facet joint.
6. (Original) A facet fusion system of claim 5, further comprising:  
staple means for fixing said implant in position in the facet joint;  
wherein said staple means facilitates fusion of the facet joint with said implant.
7. (Currently Amended) A facet fusion system for fusing a facet joint comprising:  
retraction means for performing percutaneous retraction; and  
decorticating means for decorticating the facet joint, said decorticating means comprising a shaft being adapted releasably to engage a power source for rotation.
8. (Original) A facet fusion system of claim 7, wherein said decorticating means further comprises:  
taper means for tapering the facet joint;

planing means for planing a portion of the facet joint; and  
support means for supporting and rotating said decorticating means and said planing  
means.

9. (Original) The facet fusion system of claim 7, further comprising:

fusion means for facilitating fusion of the facet joint.

10. (Original) The facet fusion system of claim 9, further comprising:

sizing means for determining appropriate dimensions of said fusion means.